

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DANIEL KLEEBERG, LISA STEIN, and
AUDREY HAYS,

Plaintiffs,

v.

LESTER EBER; ALEXBAY, LLC f/k/a
LESTER EBER, LLC; CANANDAIGUA
NATIONAL BANK & TRUST COMPANY;
ESTATE OF ELLIOTT W. GUMAER, JR.;
EBER BROS. & CO., INC.; EBER BROS.
WINE AND LIQUOR CORP.; EBER BROS.
WINE & LIQUOR METRO, INC.; EBER-
CONNECTICUT, LLC; and WENDY EBER,

Defendants.

Civil Action No. 16-CV-9517(LAK)

**NOTICE OF MOTION TO FOR
LEAVE TO AMEND THEIR
COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum, Plaintiffs, Daniel Kleeberg, Lisa Stein, and Audrey Hays, move this Court for an order granting leave to amend the Second Amended Complaint. A proposed Third Amended Complaint is attached.

Dated: November 30, 2018

/s Brian C. Brook

Brian C. Brook (BB 1980)

CLINTON BROOK & PEED

100 Church Street,

Telephone: (212) 257-2334

Facsimile: (646) 257-2887

Brian@clintonbrook.com

*Attorneys for Plaintiffs Daniel Kleeberg, Lisa Stein,
and Audrey Hays*